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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 NEILL SAMUELL,

9 *Plaintiff,*

10 vs.

11 DOMINICK CIPRIANO, *et al.*

12 *Defendants.*
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3:14-cv-00056-MMD-VPC

ORDER

14 In this prison civil rights action against local defendants, the time for plaintiff to file an
15 amended complaint expired on May 30, 2014. Plaintiff's interlocutory appeal did not stay the
16 running of the response time under the prior order, and neither this Court nor the Court of
17 Appeals stayed the prior order. The appeal further was dismissed for lack of jurisdiction on
18 June 10, 2014. The Court's prior screening order stated that the action would proceed
19 forward only on the claims that remained if plaintiff did not timely file an amended complaint
20 correcting the deficiencies in the dismissed claims. The matter therefore will proceed to
21 service, subject to the prior partial dismissal order.

22 IT THEREFORE IS ORDERED that the Clerk of Court shall issue summons to the
23 remaining named defendants herein, and deliver same, along with sufficient copies of the
24 complaint, to the Marshal for service. The Clerk further shall SEND plaintiff a sufficient
25 number of USM-285 forms along with one copy of the papers submitted in this action.
26 Plaintiff shall have twenty (20) days in which to furnish to the Marshal the required USM-285
27 forms. Within twenty (20) days after receiving from the Marshal a copy of the USM-285 form
28 showing whether service has been accomplished, plaintiff must file a notice with the Court

1 identifying which defendants were served and which were not served, if any. If plaintiff wishes
2 to have service again attempted on an unserved defendant(s), then a motion must be filed
3 with the Court identifying the unserved defendant(s) and specifying a more detailed name
4 and/or address for said defendant(s), or whether some other manner of service should be
5 attempted. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, plaintiff must
6 complete service within 120 days from entry of this order.

7 IT IS FURTHER ORDERED that henceforth, plaintiff shall serve upon defendants or,
8 if an appearance has been entered by counsel, upon their counsel, a copy of every pleading,
9 motion or other paper submitted for consideration by the Court and shall include a certificate
10 of such service with each paper submitted to the Court. Moreover, all requests for relief
11 herein must be made by motion rather than letter.

12 DATED: *July 2, 2014.*

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15 VALERIE P. COOKE
16 United States Magistrate Judge
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